

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Karen Testerman, et al.

v.

Civ. No. 23-cv-499-JL-AJ

NH Secretary of State, et al.

PROCEDURAL ORDER

The Preliminary Injunction Motion hearing in this case is currently scheduled for **January 5, 2024**, with certain filing requirements to precede the hearing, as set forth in the court's December 21, 2023, Procedural Order ([Doc. No. 46](#)). The parties' filings - including the defendants' motions to dismiss - have demonstrated a substantial issue as to whether the plaintiffs have standing to bring this lawsuit. This jurisdictional issue must be decided before the court reaches the merits of the plaintiffs' claim for injunctive relief. **For that reason, the hearing scheduled for Friday, January 5, 2024, at 1:30 p.m., will be limited to the issue of the plaintiffs' standing,** and the court will schedule an evidentiary hearing on the preliminary injunction, if necessary, after this jurisdictional issue is resolved. The filing requirements and deadlines set in the court's procedural order issued on December 21, 2023, are suspended.

On or before **January 3, 2024**, each party shall file:

- a witness list;
- an exhibit list; and
- proposed findings of fact and rulings of law in this case pertaining to the issue of standing.

Should counsel and plaintiffs **unanimously** wish to reschedule the hearing before or after the current January 5 date, they may **jointly** arrange with the Deputy Clerk to do so. The plaintiff bears the burden to establish standing as to each defendant (the New Hampshire Secretary of State, the New Hampshire Republican State Committee, and Chris Ager).

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: December 26, 2023

cc: Karen Testerman, pro se
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